

Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

DEVAL L. PATRICK  
Governor

MAEVE VALLELY BARTLETT  
Secretary

DAVID W. CASH  
Commissioner

Mass Department of Transportation, Highway Division  
C/o BSC Group, Inc.  
15 Elkins Street  
Boston, MA 02127  
Attn: Jeffrey T. Malloy

DEC X 9 2014

Re: **DEP Waterways License No. 13723 Waterways License Application No. W14-4056N**  
Stormwater constructed wetlands), at I-195, Exits 16 & 17, at Washburn and Coggeshall Streets  
Filled tidelands of the Acushnet River, New Bedford, Bristol County

Dear Applicant:

The Department of Environmental Protection has approved the referenced license authorizing you to perform certain activities pursuant to G.L. Chapter 91 and regulations 310 CMR 9.00. Any unauthorized substantial change in use or substantial structural alteration of any structure or fill authorized by the license shall render it void and issuance of a new waterways license will be required.

Furthermore, this license must be recorded at the referenced Registry of Deeds within 60 days of the date of license issuance. After recoding the License and plans, please provide the Department with written notification of the date, and book and page number of record on the enclosed Notification Form.

Sincerely,

for Elizabeth A. Kouloheras, Chief  
Wetlands and Waterways Program

Cc: New Bedford Conservation Commission and Environmental Stewardship, C/o Sarah Porter  
New Bedford Planning Department C/o Jill Maclean, City Planner  
New Bedford Harbor Master, C/o Larry Chongarlides, Harbormaster  
New Bedford Harbor Development Commission, C/o Jeffrey Stieb, Port Director & HDC Exec. Dir.  
MassDOT - Highway Division C/o Susan McArthur, Wetlands Supervisor

Ecc: EOEa, MEPA (EOEA #15147), Attn: Holly Johnson  
DEP Boston – DWW, Attn: Ben Lynch, Chief, Waterways Regulation Program  
CZM, Bob Boeri, Project Review Coordinator  
File

Lisa Ramos  
Department of Environmental Protection  
Waterways Regulation Program  
20 Riverside Drive  
Lakeville, MA 02347

RE: Waterways Application No. W14-4056N, License No. 13723  
Transmittal #X257173, Acushnet River, New Bedford, Bristol County

Dear Ms. Ramos:

This is to notify you that the above referenced Waterways license was recorded with the appropriate Registry of Deeds/ Land Court for this project location and to provide your office with the following recordation information.

Date of Recordation: \_\_\_\_\_

County Registry of Deeds: \_\_\_\_\_

Book number \_\_\_\_\_ and page number(s) \_\_\_\_\_

Land Court: \_\_\_\_\_

Land Court Lot # \_\_\_\_\_ Plan # \_\_\_\_\_

Certificate Document Number \_\_\_\_\_

We will notify your office in writing of the date the authorized work or change in use is completed.

Sincerely,

\_\_\_\_\_, Chapter 91 Waterways Licensee

**LICENSE VOID  
IF NOT RECORDED  
WITHIN 60 DAYS  
OF ISSUANCE**

# *The Commonwealth of Massachusetts*

No. 13723



*Whereas*, Massachusetts Department of Transportation, Highway Division

of -- Boston --, in the County of -- Suffolk -- and Commonwealth aforesaid -- has applied to the Department of Environmental Protection to -- construct and maintain three (3) stormwater (constructed wetland) BMPs -----

and has submitted plans of the same; and whereas due notice of said application, and of the time and place fixed for a hearing thereon, has been given, as required by law, to the -- Mayor and City Council -- of the -- City -- of -- New Bedford -----

NOW, said Department, having heard all parties desiring to be heard, and having fully considered said application, hereby, subject to the approval of the Governor, authorizes and licenses the said -----

Massachusetts Department of Transportation, Highway Division --, subject to the provisions of the ninety-first chapter of the General Laws, and of all laws which are or may be in force applicable thereto, to -- construct and maintain three (3) stormwater (constructed wetland) BMPs -----

in and over filled tidelands of -- the Acushnet River -- At Exits 16 & 17 off of I -- 195, between Washburn and Coggeshall Streets in the -- City -- of -- New Bedford -- and in accordance with the locations shown and details indicated on the accompanying DEP License Plan No. 13723, (11 Sheets).

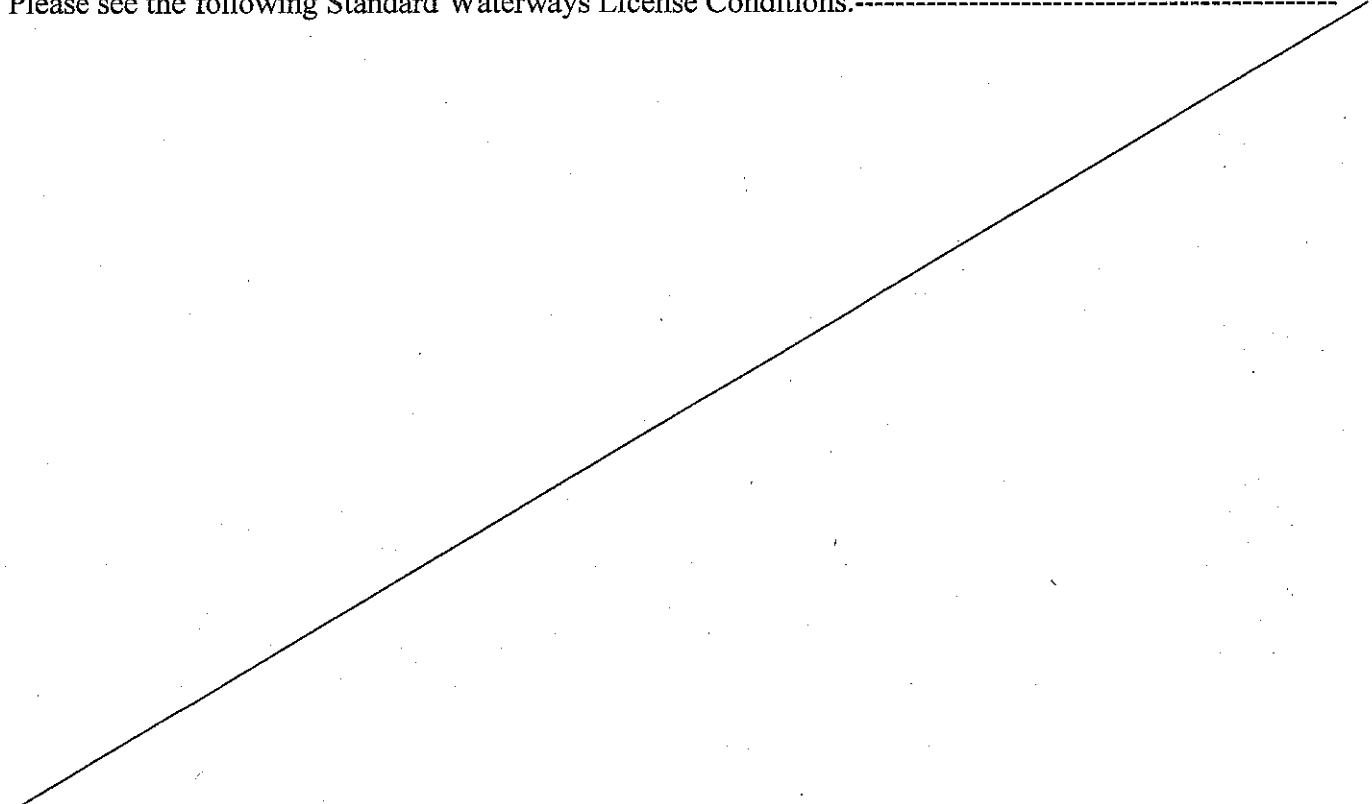
The structures authorized hereby shall be limited to the following uses: conveyance of stormwater.

The term for this license is unlimited in accordance with 310 CMR 9.15(1)(c).

SPECIAL WATERWAYS CONDITIONS:

1. The existing pile supported pier on the property, shown on the License Plan No. 13723 as "Existing Dock (Unauthorized Structure)" is not authorized herein.
2. All work authorized herein shall be completed within five (5) years of the date of license issuance. Said construction period may be extended by the Department for one or more one year periods without public notice, provided that the Applicant submits to the Department, thirty (30) days prior to the expiration of said construction period, a written request to extend the period and provides an adequate justification for said extension.
3. Within sixty (60) days of completion of the licensed project, the Licensee shall request in writing that the Department issue a Certificate of Compliance in accordance with 310 CMR 9.19. The request shall be accompanied by a certification by a registered professional engineer licensed in the Commonwealth that the project was completed in accordance with the License.

Please see the following Standard Waterways License Conditions.-----



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Duplicate of said plan, License Plan No. 13723 is on file in the office of said Department, and original of said plan accompanies this License, and is to be referred to as a part hereof.

## STANDARD WATERWAYS LICENSE CONDITIONS

1. Acceptance of this Waterways License shall constitute an agreement by the Licensee to conform with all terms and conditions stated herein.

2. The License is granted upon the express condition that any and all other applicable authorizations necessitated due to the provisions hereof shall be secured by the Licensee prior to the commencement of any activity or use authorized pursuant to this License.

3. Any change in use or any substantial structural alteration of any structure or fill authorized herein shall require the issuance by the Department of a new Waterways License in accordance with the provisions and procedures established in Chapter 91 of the Massachusetts General Laws. Any unauthorized substantial change in use or unauthorized substantial structural alteration of any structure or fill authorized herein shall render this Waterways License void.

4. This Waterways License shall be revocable by the Department for noncompliance with the terms and conditions set forth herein. This License may be revoked after the Department has given written notice of the alleged noncompliance to the Licensee and those persons who have filed a written request for such notice with the Department and afforded them a reasonable opportunity to correct said noncompliance. Failure to correct said noncompliance after the issuance of a written notice by the Department shall render this Waterways License void and the Commonwealth may proceed to remove or cause removal of any structure or fill authorized herein at the expense of the Licensee, its successors and assigns as an unauthorized and unlawful structure and/or fill.

5. The structures and/or fill authorized herein shall be maintained in good repair and in accordance with the terms and conditions stated herein and the details indicated on the accompanying license plans.

6. Nothing in this Waterways License shall be construed as authorizing encroachment in, on or over property not owned or controlled by the Licensee, except with the written consent of the owner or owners thereof.

7. This Waterways License is granted subject to all applicable Federal, State, County, and Municipal laws, ordinances and regulations including but not limited to a valid final Order of Conditions issued pursuant to the Wetlands Protection Act, G.L. Chapter 131, s.40.

8. This Waterways License is granted upon the express condition that the use of the structures and/or fill authorized hereby shall be in strict conformance with all applicable requirements and authorizations of the DEP.

9. This License authorizes structure(s) and/or fill on:

     Private Tidelands. In accordance with the public easement that exists by law on private tidelands, the Licensee shall allow the public to use and to pass freely upon the area of the subject property lying between the high and low water marks, for the purposes of fishing, fowling, navigation, and the natural derivatives thereof.

  X   Commonwealth Tidelands. The Licensee shall not restrict the public's right to use and to pass freely, for any lawful purpose, upon lands lying seaward of the low water mark. Said lands are held in trust by the Commonwealth for the benefit of the public.

     a Great Pond of the Commonwealth. The Licensee shall not restrict the public's right to use and to pass freely upon lands lying seaward of the high water mark for any lawful purpose

     Navigable River or Stream. The Licensee shall not restrict the public's right to use and to pass freely, for any lawful purpose, in the waterway.

No restriction on the exercise of these public rights shall be imposed unless otherwise expressly provided in this License.

10. Unless otherwise expressly provided by this license, the Licensee shall not limit the hours of availability of any areas of the subject property designated for public passage, nor place any gates, fences, or other structures on such areas in a manner that would impede or discourage the free flow of pedestrian movement thereon.

The amount of tidewater displaced by the work hereby authorized has been ascertained by said Department, and compensation thereof has been made by the said -- Massachusetts Department of Transportation, Highway Division -- by paying into the treasury of the Commonwealth -- zero dollars and zero cents (\$ 0.00) -- for each cubic yard so displaced, being the amount hereby assessed by said Department (0 cu. Yd. = \$ 0.00).

Nothing in this License shall be so construed as to impair the legal rights of any person.

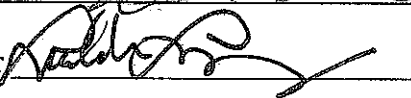
This License shall be void unless the same and the accompanying plan are recorded within sixty (60) days from the date hereof, in the Bristol County Registry of Deeds.

IN WITNESS WHEREAS, said Department of Environmental Protection have hereunto set their hands this 9th day of December in the year two thousand and 2014.

Commissioner



Program Director



**Department of  
Environmental  
Protection**

for Program Chief



### THE COMMONWEALTH OF MASSACHUSETTS

This License is approved in consideration of the payment into the treasury of the Commonwealth by the said -- Massachusetts Department of Transportation, Highway Division ----

the further sum of -- (zero dollars and zero cents) ----- (\$0.00)

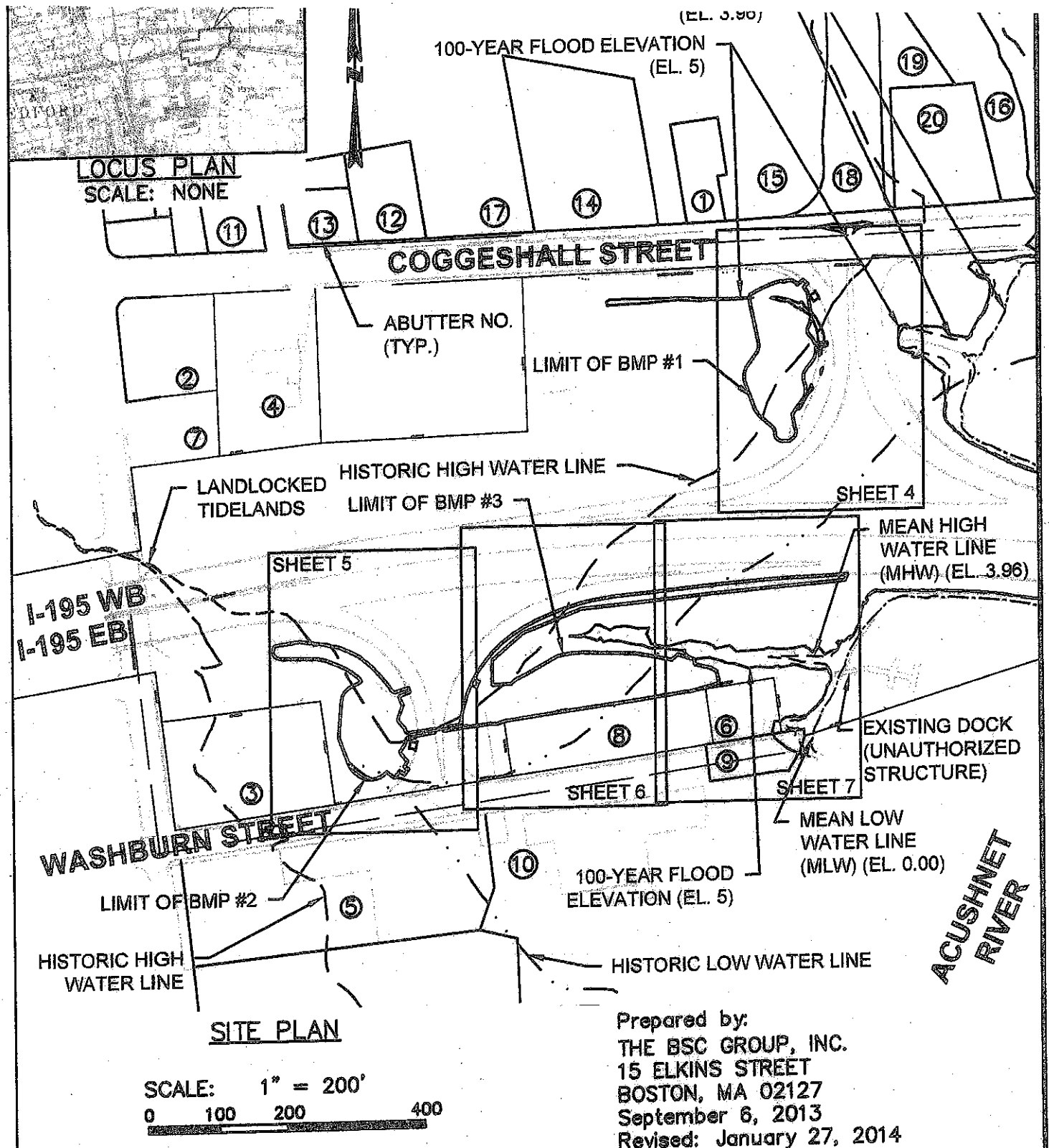
the amount determined by the Governor as a just and equitable charge for rights and privileges hereby granted in the land of the Commonwealth.

BOSTON

**Approved by the Governor**



Governor



PLAN ACCOMPANYING  
PETITION OF  
MASSDOT

TO CONSTRUCT AND MAINTAIN THREE  
STORMWATER BMPs (CONSTRUCTED  
STORMWATER WETLANDS) ALONG I-195  
AT EXITS 16 AND 17

NEW BEDFORD, MA (BRISTOL COUNTY)

Prepared by:  
THE BSC GROUP, INC.  
15 ELKINS STREET  
BOSTON, MA 02127  
September 6, 2013  
Revised: January 27, 2014

FILE:  
MASSDOT PRJ. NO. 606583 SHEET 1 OF 11

LICENSE PLAN NO. 13723

Approved by Department of Environmental Protection  
of Massachusetts  
DEC X 9 2014

*David E. Hall*  
*John P. Welch*

ABUTTERS LIST

ABUTTER NUMBER	LOCATION	OWNER	CO-OWNER	OWNER ADDRESS
①	115 COGGESHALL STREET	FOURNIER, MICHAEL R. & PAUL R.		115-119 COGGESHALL STREET NEW BEDFORD, MA 02746
②	COGGESHALL STREET	CITY OF NEW BEDFORD, INTERCEPTING SEWER		131 WILLIAM STREET NEW BEDFORD, MA 02740
③	BELLEVILLE AVENUE	CITY OF NEW BEDFORD, PARK DEPT.		131 WILLIAM STREET NEW BEDFORD, MA 02740
④	170 COGGESHALL STREET	DOMALE INC.		1879 MINERAL SPRING AVENUE NORTH PROVIDENCE, RI 02904
⑤	8 WASHBURN STREET	8 WASHBURN STREET LLC.		72 NORTH WATER STREET, 3RD FLOOR NEW BEDFORD, MA 02740
⑥	WASHBURN STREET	NORTH WHARF TRUST, PACKER RALPH M. JR.	PACKER, DOROTHY P.	RFD 275, VINEYARD HAVEN, MA 02568
⑦	BELLEVILLE AVENUE	DACOSTA, URGEL R.		302 MOUNT PLEASANT STREET NEW BEDFORD, MA 02746
⑧	WASHBURN STREET	ROBINSON, RUSSELL B.		264 IRVING AVENUE PROVIDENCE, RI 02906
⑨	WASHBURN STREET	CITY OF NEW BEDFORD		133 WILLIAM STREET NEW BEDFORD, MA 02740
⑩	2 WASHBURN STREET	NORTH WHARF TRUST	PACKER, DOROTHY P.	233 WEST SPRING STREET VINEYARD HAVEN, MA 02568
⑪	3 MITCHELL STREET	OLIVEIRA, RONALD & FERREIRA, DAVID JR.	COGGESHALL STREET REALTY TRUST	10 ROSEANNE DRIVE FAIRHAVEN, MA 02719
⑫	157 COGGESHALL STREET	KHALIFE, MICHAEL J. & ANTOINE J.		171 COGGESHALL STREET NEW BEDFORD, MA 02746
⑬	171 COGGESHALL STREET	KHALIFE, MICHAEL J.		

LICENSE PLUM NO. 13723  
 Approved by Department of Environmental Protection  
 DEC X 9 2014

ABUTTER NUMBER	LOCATION	OWNER	CO-OWNER	OWNER ADDRESS
⑭	COGGESHALL STREET	COGGESHALL- NEW BEDFORD LLC.	DICKINSON DEVELOPMENT CORP.	1266 FURNACE BROOK PARKWAY QUINCY, MA 02169
⑮	85 COGGESHALL STREET	HIGHWAYVIEW LLC.	DICKINSON DEVELOPMENT CORP.	1266 FURNACE BROOK PARKWAY QUINCY, MA 02169
⑯	SAWYER STREET	UNITED STATES OF AMERICA	ARMY CORP OF ENGINEERS	696 VIRGINIA ROAD CONCORD, MA 01742
⑰	141 COGGESHALL STREET	ARCHLAND PROPERTY I LLC.	MCDONALDS CORP.	P.O. BOX 182571 COLUMBUS, OH 43218
⑱	COGGESHALL STREET	HIGHWAYVIEW LLC.	DICKINSON DEVELOPMENT CORP.	1266 FURNACE BROOK PARKWAY QUINCY, MA 02169
⑲	COGGESHALL STREET	HIGHWAYVIEW LLC.	DICKINSON DEVELOPMENT CORP.	1266 FURNACE BROOK PARKWAY QUINCY, MA 02169
⑳	67 COGGESHALL STREET	ELIAS ELAINE "TRUSTEE"	7-11 INC TENANTS TAX	P.O. BOX 711 DALLAS, TEXAS 75221-0711

**LICENSE PLAN NO. 13723**  
 Approved by Department of Environmental Protection  
 Date: **DEC X 9 2014**

DATE \_\_\_\_\_

## PLUG PIPE

- R&R CLF

- CORE INTO  
EXIST.  
STRUCTURE  
INV=2.51  
- ABANDON

PROP. STONE FOR  
PIPE ENDS (M2.02.3)

TOP OF CHECK  
DAM EL=3.0

PROP. LIMIT OF  
WORK (TYP.)

STORMWATER  
BMP #1 PROP.  
CONSTRUCTED  
STORMWATER  
WETLAND

ROP.  
LINE

TOP OF CHECK.  
DAM EL=5.0

PROP. SEDIMENT  
FOREBAY  
CRUSHED STONE  
BOTTOM  
BOT. ELEV = 4.0

PROP.  
STONE FOR  
PIPE ENDS  
x5.7'Wx1.5'D

PROP. FES-2  
INV=5.2

REMOVE CONC.  
HEADWALL AND  
PIPE

# HISTORIC HIGH WATER LINE

**RAMP H**

LICENSE PLAN NO. 13723  
Approved by Department of Environmental Protection

DEC X 9 2014

MEAN HIGH WATER  
LINE (MHW)  
(EL. 3.96)

- PROP. 10'x10'  
PAVED ACCESS

PROP. FES-1  
INV-24 /

PROP. STONE  
FOR PIPE ENDS  
4' L x 6.7' W x 1.5' D

RET. EXIST. CB  
CORE INTO EXIST.  
STRUCTURE  
I=1.9

RET.

29'-12" RCP

# RAIN

— 100-YEAR FLOOD  
ELEVATION (ZONE  
AE) (EL. 5)

- PROP. OCS-1  
 RIM=4.3  
 I(IN-6")=3.3  
 I(IN-6")=2.5  
 I(OUT)=2.2

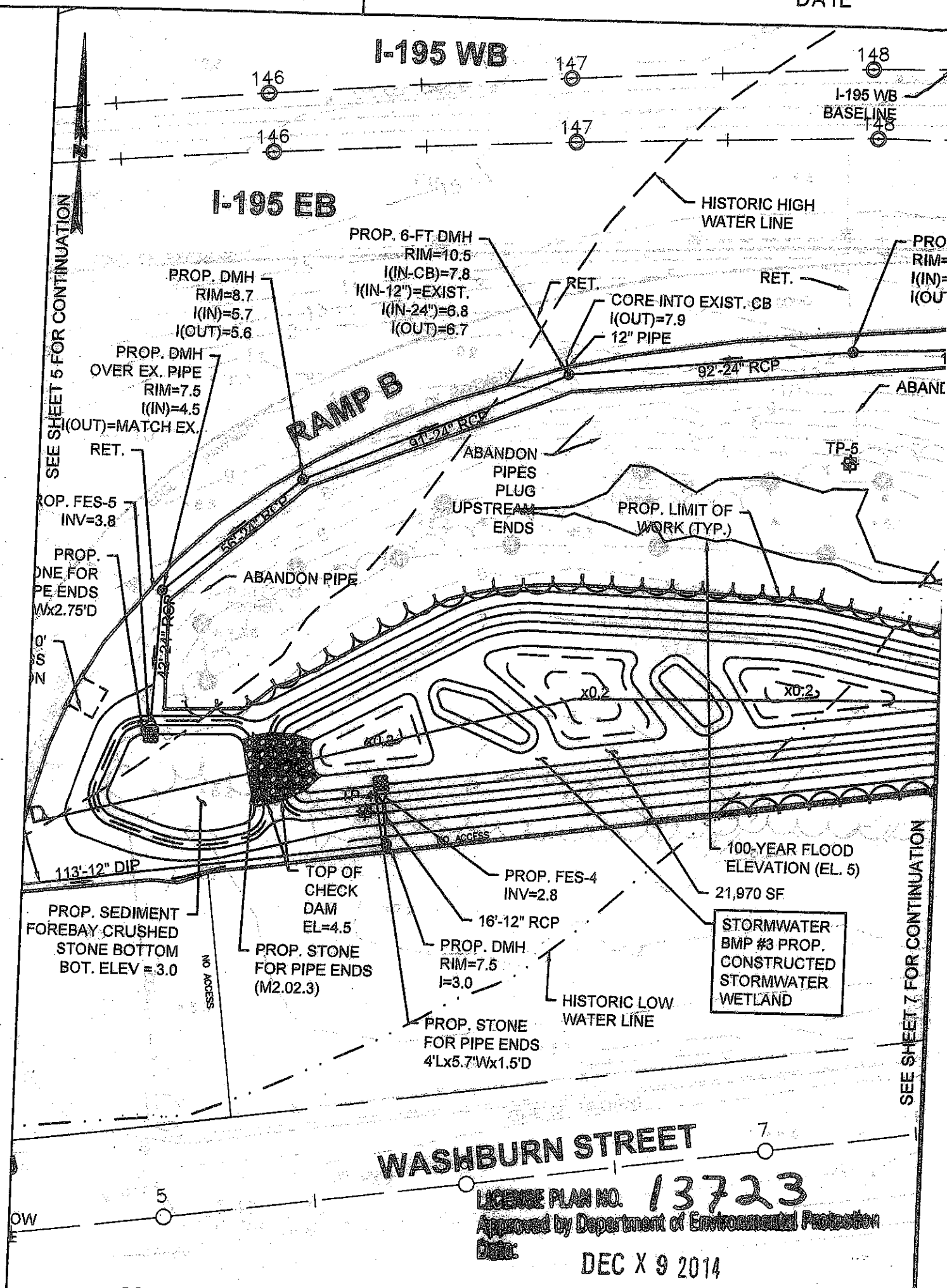
PROP. STONE FOR  
PIPE ENDS (M2.02.3)

MATCH  
INVERT

22'-12" RCP

- 4,920 SF

**- HISTORIC LOW  
WATER LINE**



SEE SHEET 5 FOR CONTINUATION

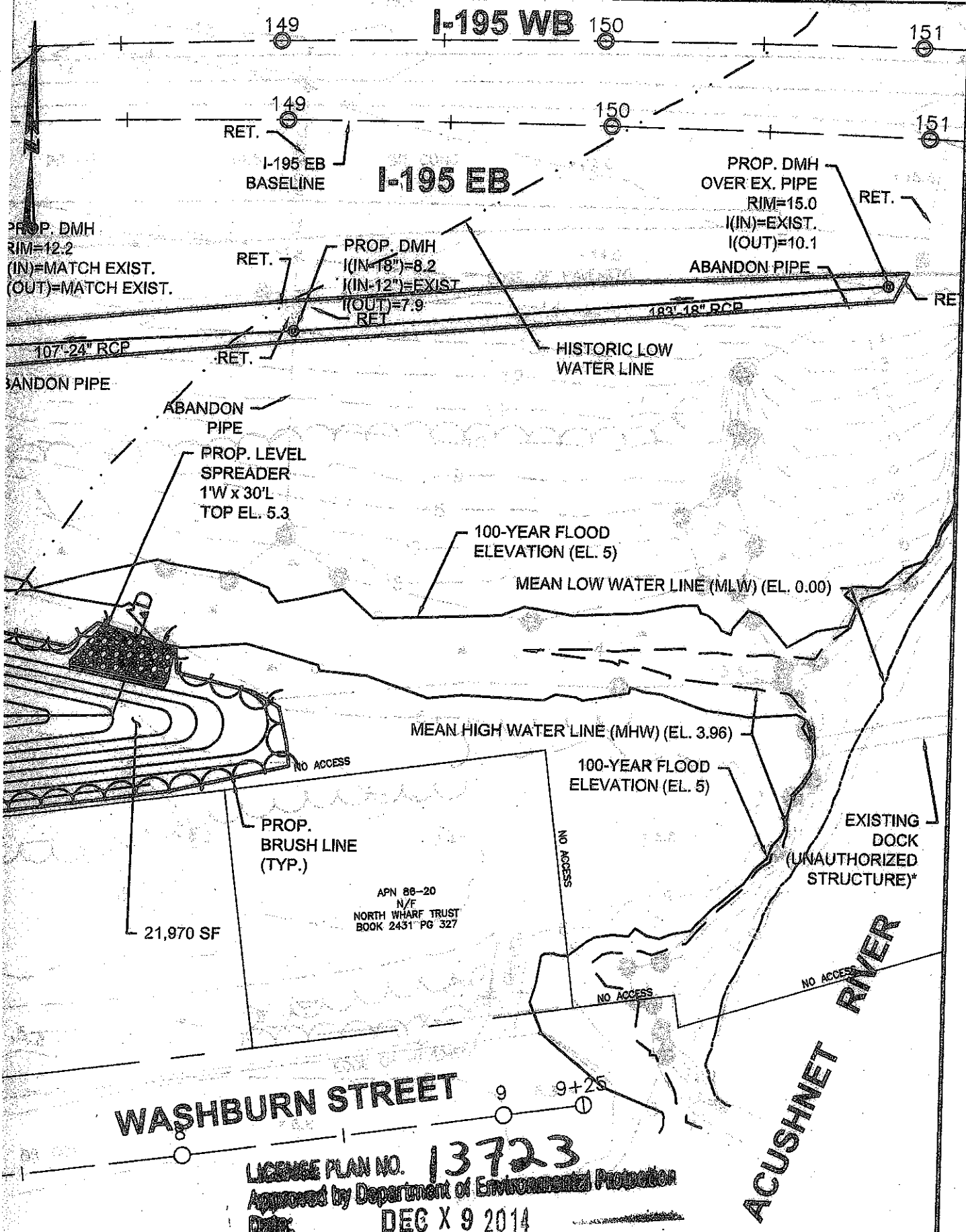
SEE SHEET 7 FOR CONTINUATION

WASHBURN STREET

LICENSE PLAN NO. 13723

Approved by Department of Environmental Protection  
Date:

DEC 9 2014



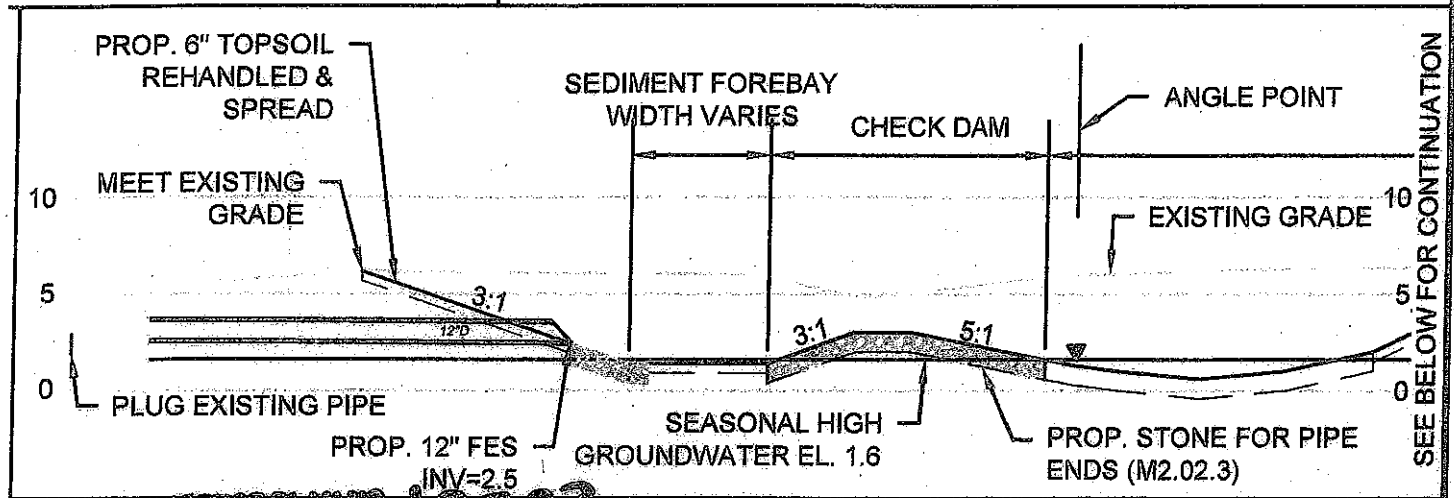
LICENSE PLAN NO. **13723**  
 Approved by Department of Environmental Protection  
 Date: **DEC X 9 2014**

**\*NOTE:**  
 UNAUTHORIZED STRUCTURE NOT TO BE  
 AUTHORIZED UNDER THIS PERMIT.

IR REGISTRY USE ONLY

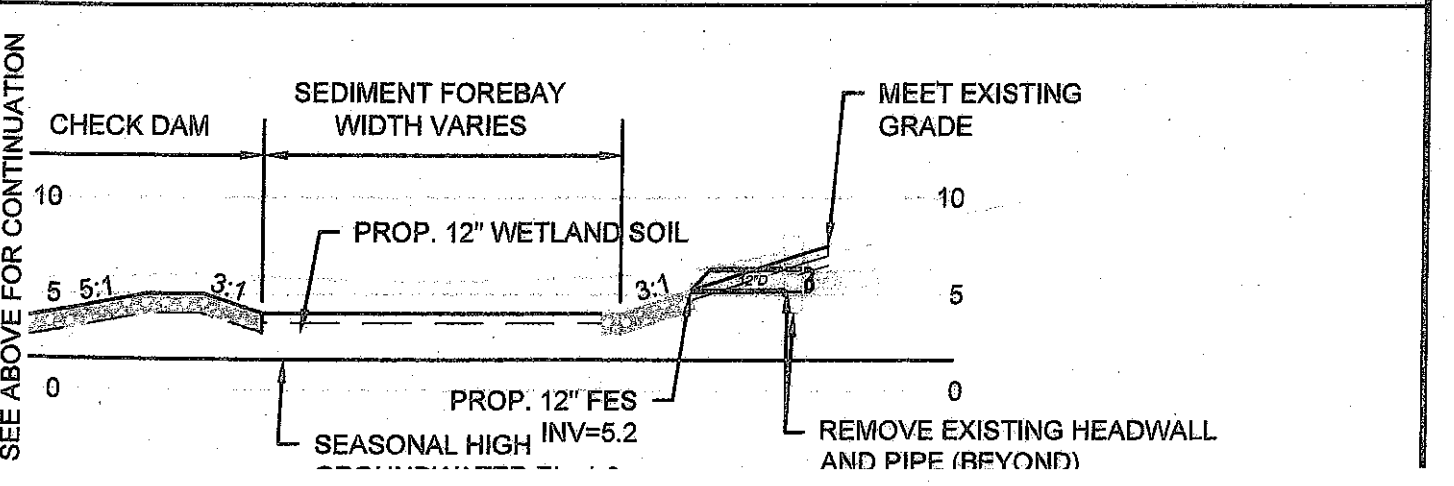
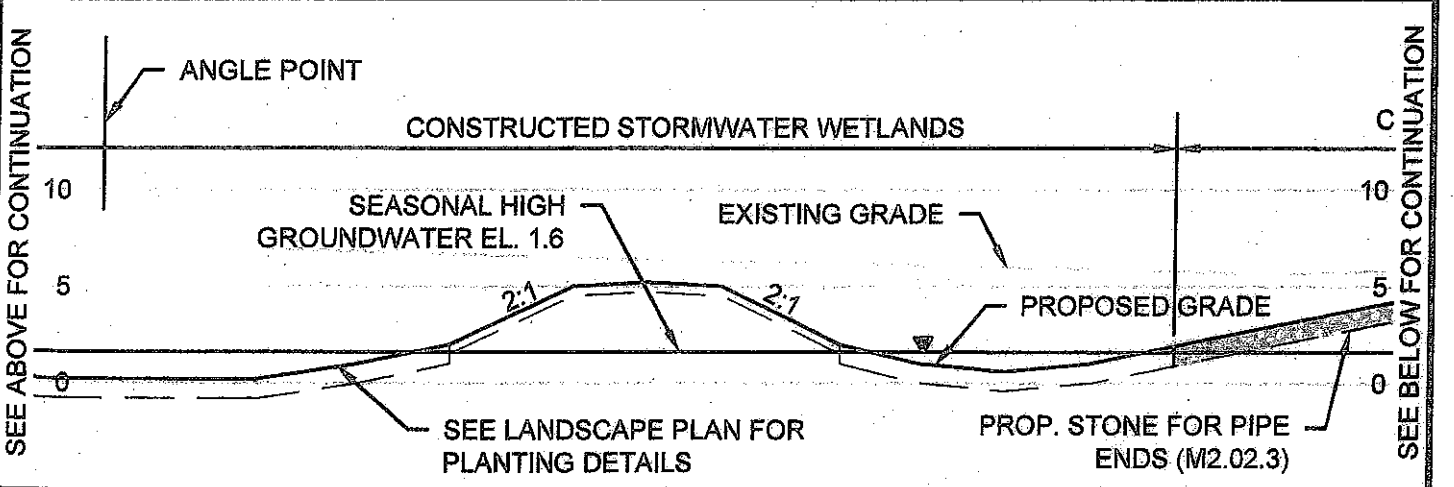
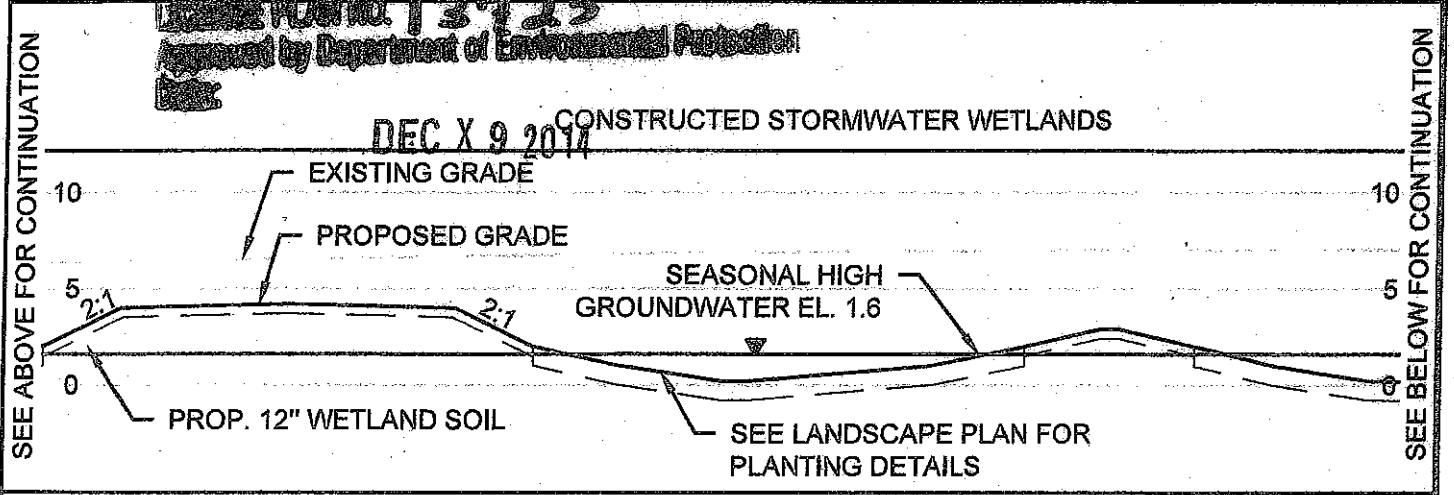
PLS

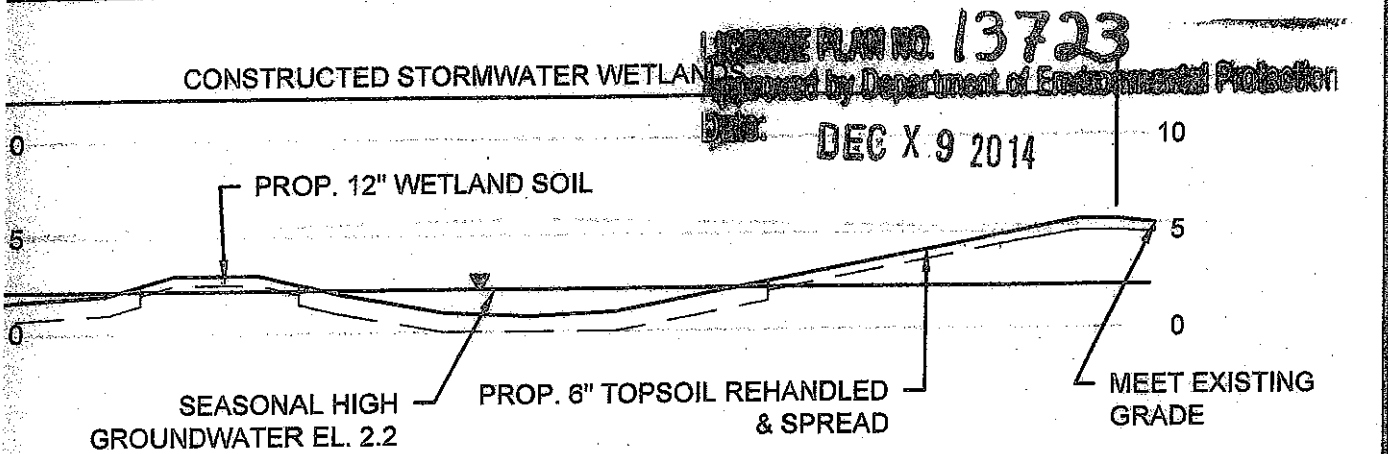
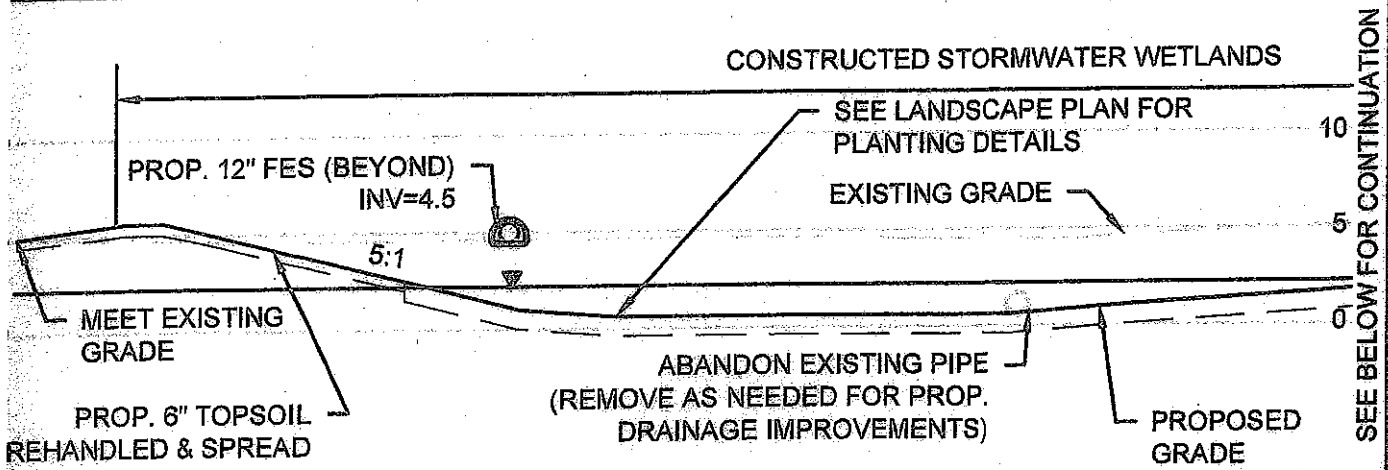
DATE



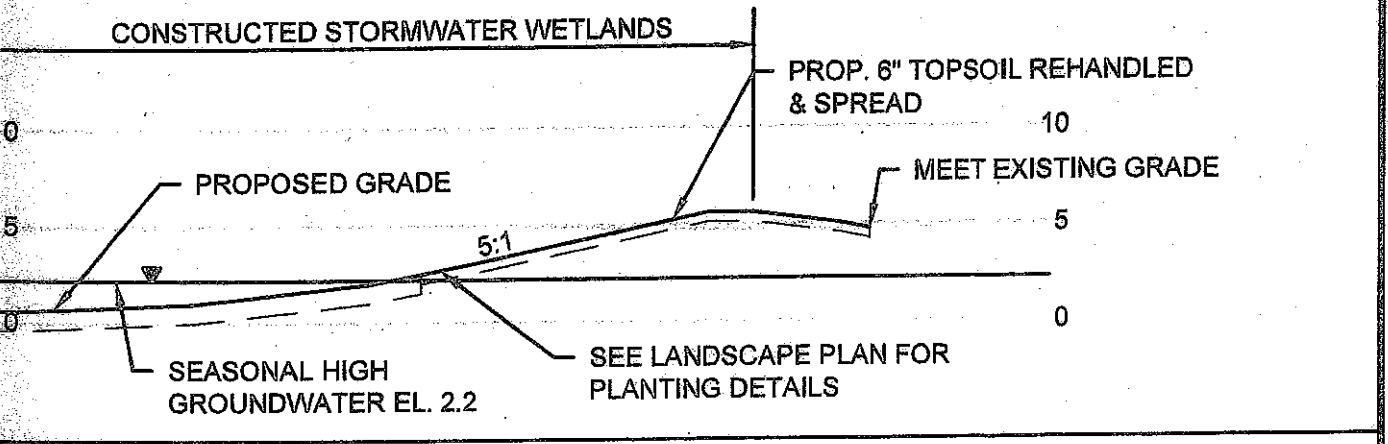
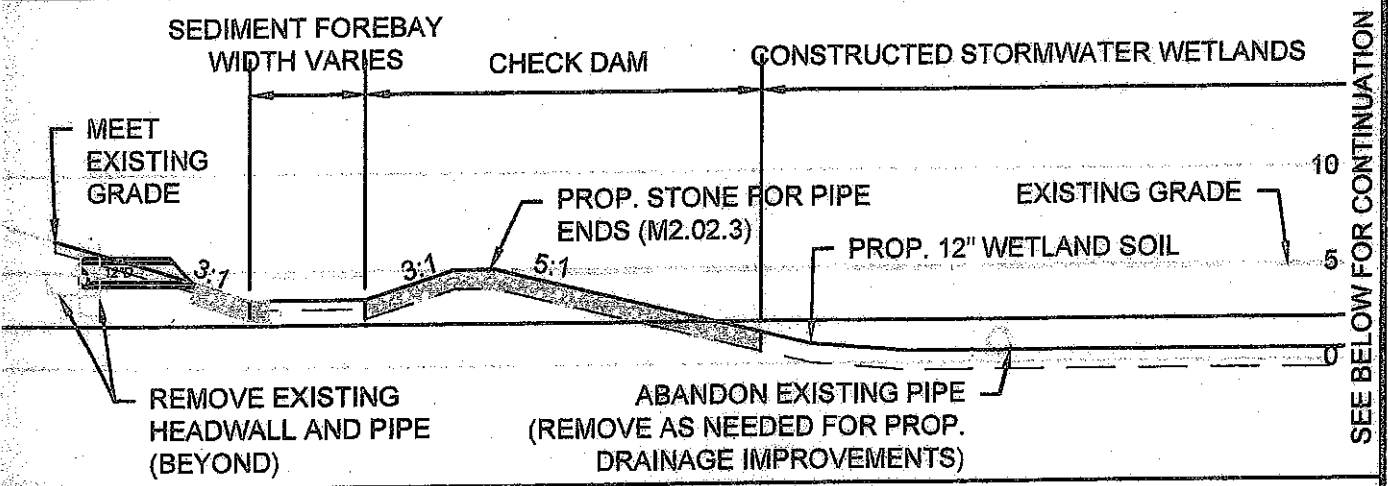
**PERMITS PLAN NO. 13723**  
Approved by Department of Environmental Protection  
DATE

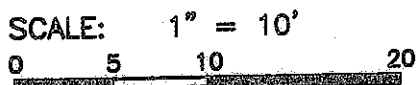
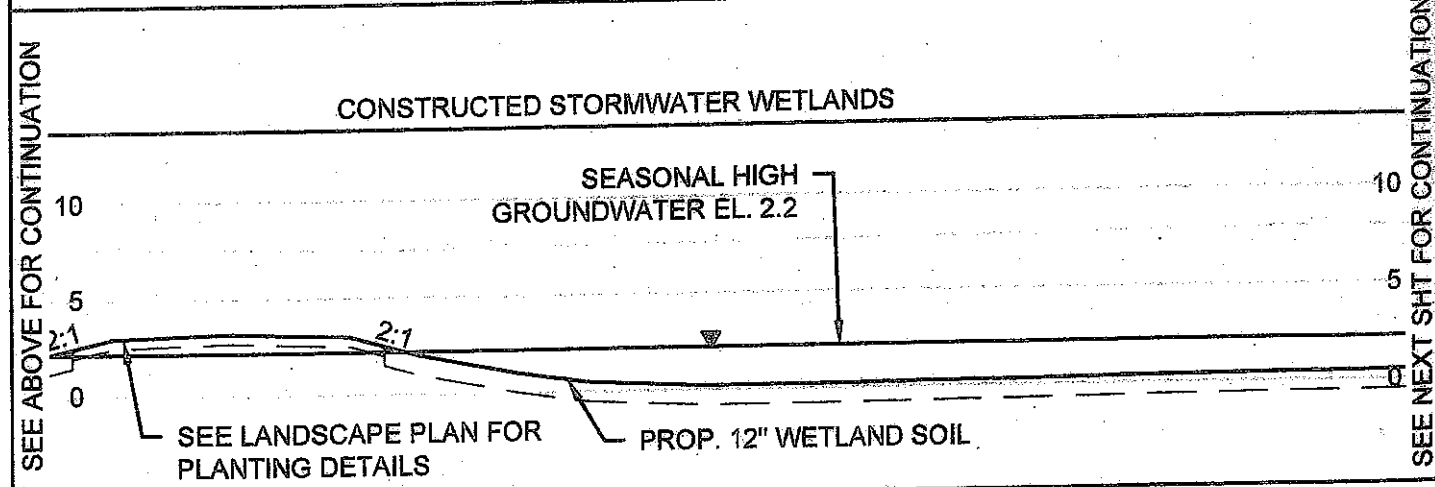
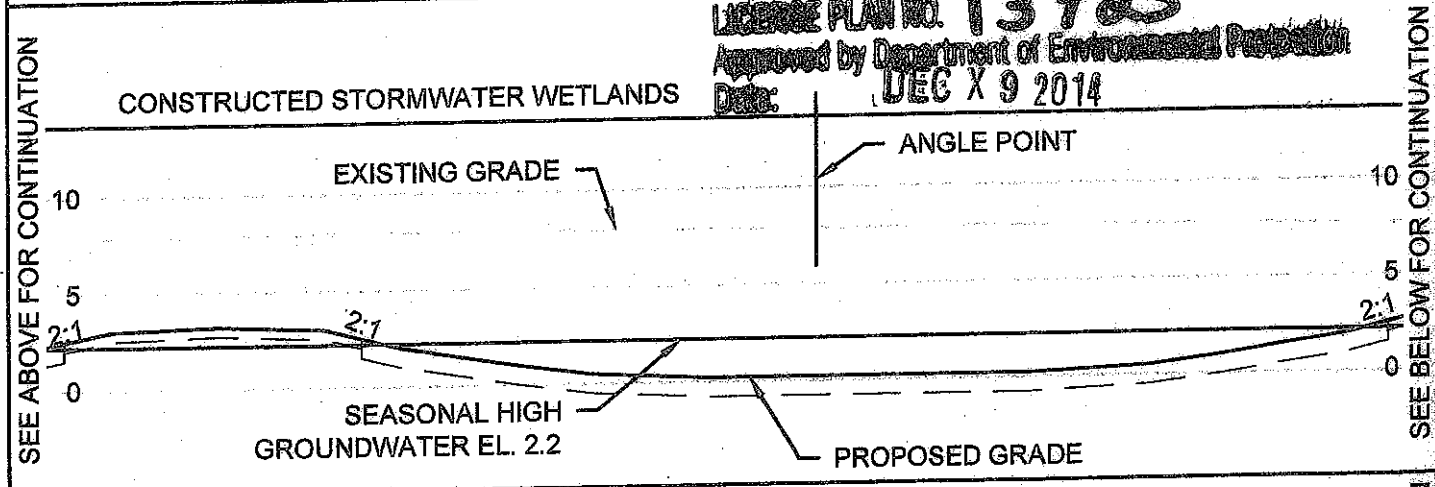
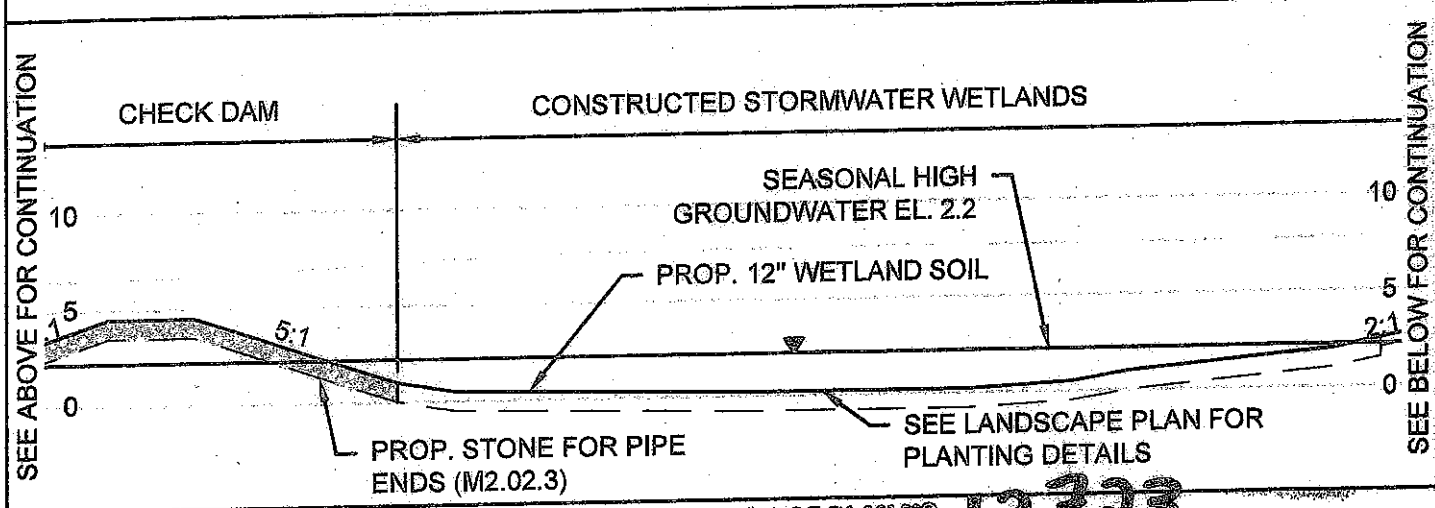
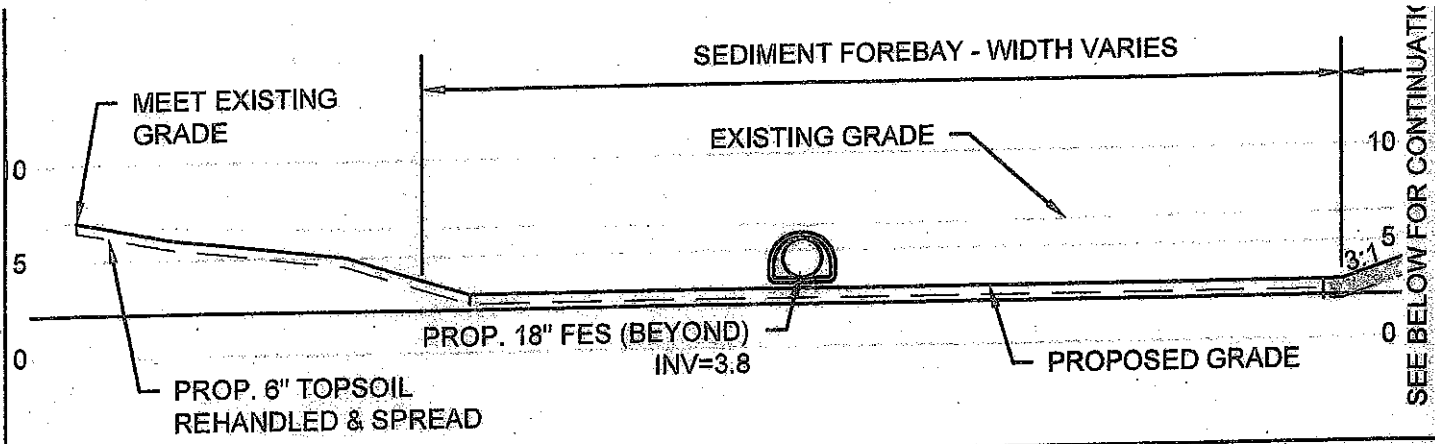
**DEC X 9 2017**



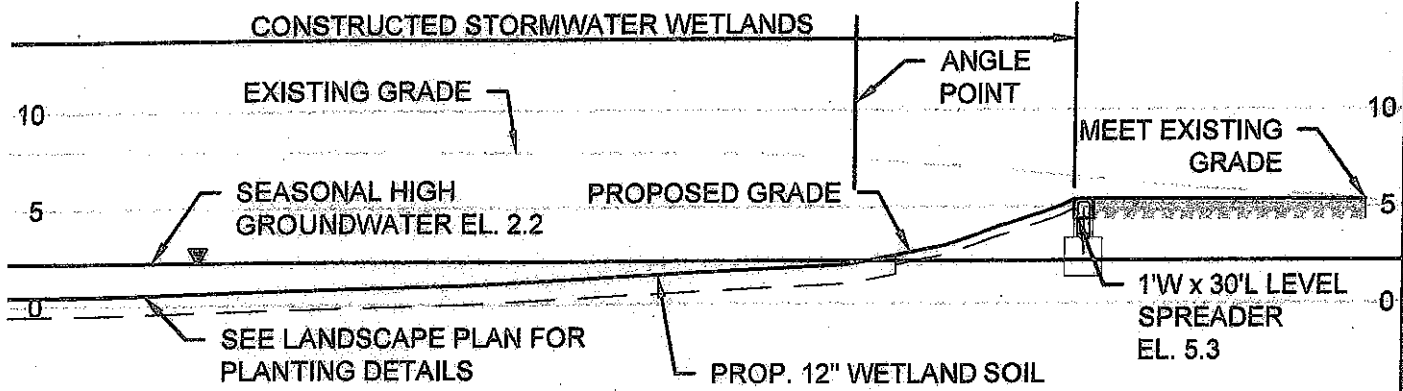


BMP #2: SECTION B-B

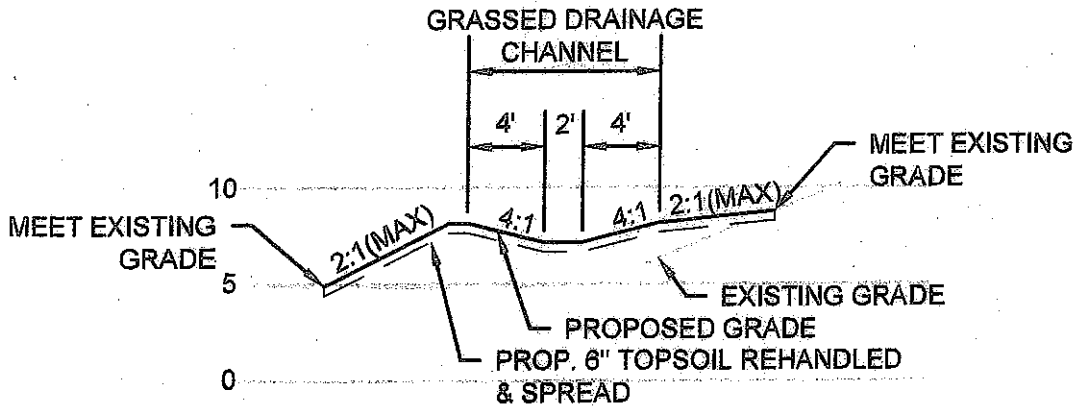




**BMP #3: SECTION D-D**



**BMP #3: SECTION D-D**



**DRAINAGE CHANNEL: SECTION E-E**